

REMARKS

The present application includes pending claims 1-26, all of which have been rejected. In particular, claims 1-12, 14 and 15 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. 6,774,926 ("Ellis") in view of U.S. 2003/0177249 ("Takanashi"). Claim 13 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Ellis in view of Takanashi and U.S. 6,182,094 ("Humpleman"). Claims 16-18 and 20-26 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Ellis in view of U.S. 2002/0004832 ("Yoon"). Claim 19 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Ellis in view of Yoon and U.S. 6,934,858 ("Woodhill"). The Applicants respectfully traverse these rejections for at least the following reasons:

The Applicants first turn to the rejection of claims 1-12, 14 and 15 as being unpatentable over Ellis in view of Takanashi. As noted in the Manual of Patent Examining Procedure (Revision 7, July 2008), "[t]o establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974)." See MPEP at 2143.03. Further, "[a]ll words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA)." See *id.*

Claim 1 recites the following:

A method for establishing a communication pathway for subsequent media exchanges between a television display in a first home and storage that contains media in a second home, the method comprising:

securely receiving address correlation information associated with the television display in the first home;

securely receiving address correlation information associated with the storage in the second home;

requesting affirmative confirmation using said received address correlation information associated with one or both of the television display and/or the storage; and

storing said affirmative confirmation.

The Office Action acknowledges that “Ellis does not teach securely transferring said addressing information between a television in a first home and a storage in a second home or requesting confirmation of the security information.” See August 26, 2008 at page 5. Indeed, the Office Action seemingly relies on Ellis only as disclosing the preamble of claim 1. See *id.* at pages 4-5.

In order to overcome these deficiencies, the Office Action relies on Takanashi. See *id.* Takanashi “relates generally to dynamic IP address assignment, and more particularly, but not exclusively, provides a system and method for limiting unauthorized access to a network by assigning a random DHCP [Dynamic Host Configuration Protocol] renewal time window to a wireless client.” See Takanashi at [0002]. Takanashi discloses a system that performs the following process:

receiving a request for an IP address from a wired or wireless agent; determining an IP address to assign; randomly determining a leasing time and/or renewal window; and transmitting the IP address, leasing time, and renewal window to the client in a DHCP reply packet. The method further comprises ... receiving the DHCP reply packet; starting a timer; listening for a renewal packet during the renewal window; and terminating access to a network if no renewal packet is received during the renewal window.

See *id.* at [0009] and [0034]-[0036]. Thus, Takanashi discloses a system and method that begins with a request for an IP address. The IP assignment system then determines an IP address to assign and randomly determines a leasing time and/or renewal window. This information is then transmitted to a client in a DHCP reply packet. The access system then receives the DHCP reply packet, starts a timer and listens for a renewal packet. If no renewal packet is received during a renewal window, access to the network is terminated. “If a renewal packet is received during the renewal window, then the starting, listening and subsequent steps are repeated.” See *id.* at [0009].

In Takanashi, the “IP assignment engine 300 listens for a request for an IP address and assigns an IP address to the requesting client.” See *id.* at [0028]. A

request for an IP address is not, however, a request for confirmation, in general, nor a request for confirmation using received address correlation information associated with one or both of the television display and/or the storage, in particular. Instead, Takanashi's request is merely one for an IP address.

Takanashi also discloses that the "[a]ccess engine 420 enables a client to access network 110 upon assignment of an IP address and validation of a user ID and password received from the client." See *id.* at [0031]. The "access engine 420 validates the user ID and password by cross checking user ID and password data in database 130." See *id.* That is, a user enters a user ID and password, which are then validated by those stored in a database. However, entering a user ID and password is not a request for anything, let alone a request for "requesting affirmative confirmation using said received address correlation information associated with one or both of the television display and/or the storage," as recited in claim 1.

Further, while Takanashi discloses that user ID and password information are stored in a database, these are, again, just a user ID and password, but not a request, and certainly not a request for confirmation. That is, stored user ID and password information are not the same as a stored affirmative confirmation.

As discussed above, the Applicants respectfully submit that the Office Action has not demonstrated that either Ellis or Takanashi, alone or combination with one another, describes, teaches or suggests "requesting **affirmative confirmation** using said **received address correlation information associated with one or both of the television display and/or the storage**; and **storing said affirmative confirmation**," as recited in claim 1. Thus, for at least these reasons, the Applicants respectfully request reconsideration of the rejection of claims 1-11.

Claim 12 recites, in part, "a server component that establishes a secure communication pathway through which media contained in the second home is delivered to said television display in the first home, wherein one or more of said television display, said storage and/or said server requests affirmative confirmation using one or both of said first and/or second associated routing addresses." For at least

the reasons discussed above with respect to claim 1, the Applicants respectfully request reconsideration of the rejection of claims 12 and 14-15.

The Applicants also respectfully request reconsideration of the rejection of claim 12 as being unpatentable over the proposed combination of Ellis in view of Takanashi and Humpleman for at least the reasons discussed above. The Office Action acknowledges that “Ellis does not teach a processor used to issue access information to a second and third device by way of a first device or that the processor authenticates access information between the second and third devices.” See August 26, 2008 Office Action at page 14.

In order to overcome these deficiencies, the Office Action states the following:

Yoon teaches a processor, Connection Authentication Server 50, which communicates access information between the Local Computer 30 and the Internet Server 60, as described in Paragraphs [0030]0032]. The Connection Authentication Server 50 transfers access information to the Local Computer 30 through the process of Steps 100 and 102 [**“from first to third device”** where the process resides at the first device]. In addition, the Connection Authentication Server 50 issues this access information to the Internet Server 60 is Step 104 of Fig. 4 [**“first to second device”**]. Yoon also teaches that the Local Computer 30 requests connection authentication in Step 100 before requesting the services of Internet Server 60 [**“authenticates the access information”**] (as described in Paragraphs [0038]-0039], with reference to Fig. 4, with further reference to Step 314 of Fig. 6, as described in Paragraph[s] [0060-0061]).

See *id.* at pages 14-15 (emphasis added). Thus, the Office Action cites the Connection Authentication Server 50 as the “processor” and the “first device,” the Internet Server 60 as the “second device” and the local computer 30 as the “third device.” Thus, applying these citations to claim 16 renders the following:

at least one processor that issues access information from a **first device [Connection Authentication Server 50]** to at least a **second device [Internet Server 60]**;

said at least one processor transfers at least a portion of said access information to a **third device [Local Computer 30]**; and

said at least one processor authenticates said access information by said **first device [Connection Authentication Server 50]** when said **third device [Local Computer 30]** attempts to transfer at least one of media data and service to **said at least said second device [Internet Server 60]**.

Further, as noted above, the Office Action cites Yoon at Steps 100 and 314 as disclosing the authentication step.

As shown above, however, claim 16 recites, in part, that the processor “authenticates said access information by said first device,” which the Office Action notes is the Connection Server 50, “when said third device,” which the Office Action notes is the Local Computer 30, “**attempts to transfer at least one of media data and service to said at least said second device,**” which the Office Action notes is the Internet Server 60.

Yoon at Step 100 states, however the following:

Before requesting services to the target internet server 60, the local computer 30 requests a connection authentication to the connection authentication [sic] server 50 in step 100.

See Yoon at [0038] (emphasis added). Notably, this portion of Yoon states that the local computer 30 requests a connection authentication to the connection authentication server 50 **before requesting services to the target internet server 60**. It does not indicate, however, that the connection **authentication server 50** authenticates access information by the connection server (as the claim would read as indicated in the Office Action) when the **local computer 30 attempts** to transfer at least one of media data and service to the **Internet Server 60**.

Further, with respect to step 314, Yoon states that the following:

The connection authentication server 50 stores the temporary ID and password “P” in its database and transmits such data to the local computer 30 and the target server 60. Also, all the parameters used for generating the temporary ID and password are transmitted to the target internet server 60.

See *id.* at [0061]. This portion of Yoon discloses that the connection server 50 stores a temporary ID and password and transmits that information to the local computer and target server 60. However, much like step 100 of Yoon, this portion also does not describe, teach or suggest that the **connection authentication server 50** authenticates access information by the connection server (as the claim would read as indicated in the Office Action) when the **local computer 30 attempts** to transfer at least one of media data and service to the **Internet Server 60**. Thus, for at least these reasons, the Applicants respectfully request reconsideration of the rejection of claims 16-18 and 20-26.

The Applicants also respectfully request reconsideration of the rejection of claim 19 as being unpatentable over the proposed combination of Ellis in view of Yoon and Woodhill for at least the reasons discussed above.

In general, the Office Action makes various statements regarding the pending claims and the cited references that are now moot in light of the above. Thus, the Applicants will not address such statements at the present time. The Applicants expressly reserve the right, however, to challenge such statements in the future should the need arise (e.g., if such statements should become relevant by appearing in a future rejection).

The Applicants respectfully request that the outstanding rejections be reconsidered and withdrawn. If the Examiner has any questions or the Applicants can be of any assistance, the Examiner is invited to contact the undersigned attorney for Applicants. The Commissioner is authorized to charge any necessary fees, or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Account No. 13-0017.

Respectfully submitted,

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